

## **ORDINANCE 12-1202**

### *Concealed Weapon and Care and Treatment of Animals Modifications*

**WHEREAS**, the Law Enforcement & Public Safety Committee has general supervision over law enforcement policies of the County; and

**WHEREAS**, after review of the Green County Code and the Wisconsin Statutes, the Law Enforcement & Public Safety Committee has indicated that the Green County Code is in need of updating; and

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that the following additions, deletions and corrections be made to Title 7 of the Green County Code.

#### **7-4-5: CARRYING A CONCEALED WEAPON**

~~A. No person except for a peace officer shall go armed with a concealed and dangerous weapon. Penalty upon violation of this subsection is a Class One forfeiture. (§941.23, Wis. Stats.)~~

~~B. In this Section "peace officer" means any person vested by law with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes. (§939.22(22), Wis. Stats.) (Ord. 92-0240)~~

A. State Statute Adopted: Wisconsin Statute Section 941.23 regulating carrying a concealed and dangerous weapon including any and all existing and future amendments thereto is adopted in its entirety.

B. Penalty:

1. Any person violating 7-4-5A above shall be subject to a Class Five forfeiture for failure of an out-of-state or former law enforcement official to carry required documentation in violation of §941.23(3), Wis. Stats.
2. Any person violating 7-4-5A above shall be subject to a Class One forfeiture for carrying an unauthorized concealed weapon in violation of §941.23(2), Wis. Stats.

#### **7-4-5-1: CARRYING FIREARM IN PUBLIC BUILDING**

A. State Statute Adopted: Wisconsin Statute Section 941.235 regulating carrying a firearm in a public building including any and all existing and future amendments thereto is adopted in its entirety.

B. Penalty: Any person violating 7-4-5-1A above shall be subject to a Class One forfeiture.

#### **7-4-5-2: CARRYING HANDGUN WHERE ALCOHOL BEVERAGES MAY BE SOLD AND CONSUMED**

A. State Statute Adopted: Wisconsin Statute Section 941.237 regulating carrying a handgun where alcohol beverages may be sold and consumed including any and all existing and future amendments thereto is adopted in its entirety.

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- B. Penalty: Any person violating 7-4-5-2A above shall be subject to a Class One forfeiture.

#### **7-4-5-3: POSSESSION OF SWITCHBLADE KNIFE**

- A. State Statute Adopted: Wisconsin Statute Section 941.24 regulating possession of a switchblade knife including any and all existing and future amendments thereto is adopted in its entirety.

- B. Penalty: Any person violating 7-4-5-3A above shall be subject to a Class One forfeiture.

#### **7-4-5-4: LICENSE TO CARRY A CONCEALED WEAPON**

- A. State Statute Adopted: Wisconsin Statute Sections 175.60(2g), (11), (16) and (17) regulating licenses to carry a concealed weapon including any and all existing and future amendments thereto is adopted in its entirety.

- B. Penalty:

1. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to carry the required license in violation of §§175.60(2g)(b) or (c), Wis. Stats.
2. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to notify the Department of Justice of any change of address in violation of §175.60(11)(b)1, Wis. Stats.
3. Any person violating 7-4-5-4A above shall be subject to a Class Two forfeiture for carrying a concealed weapon where prohibited in violation of §175.60(16), Wis. Stats.
4. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to relinquish a license document to the Department of Justice in violation of §175.60(17)(e), Wis. Stats.

#### **7-4-5-5: TRESPASS WHILE CARRYING OR POSSESSING A WEAPON OR FIREARM**

- A. State Statute Adopted: Wisconsin Statute Section 943.13 regulating certain trespassing actions while carrying or possessing a weapon or firearm including all existing and future amendments thereto is adopted in its entirety.

- B. Penalty: Any person violating 7-4-5-5A above shall be subject to a Class One forfeiture.

#### **7-4-13-2: CARE AND TREATMENT OF ANIMALS**

- A. No person shall treat any animal in a cruel manner which causes unnecessary pain or suffering or unjustifiable injury or death. Penalty for violation of this subsection is a Class Two forfeiture.
- B. No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death. Penalty for violation of this subsection is a Class Two forfeiture.
- C. Any person owning, keeping, harboring or having custody of an animal shall provide sufficient food and water, proper shelter, protection from the weather, veterinary care when needed, and

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other humane care and treatment as needed to maintain all animals in good health. Penalty for violation of this subsection is a Class Two forfeiture.

D. No animal shall be:

1. Abandoned by its owner or any person responsible for the care of the animal. Penalty for violation of this subsection is a Class Two forfeiture.
2. Turned loose by its owner or any person responsible for the care of the animal, with intent that the animal shall be abandoned. Penalty for violation of this subsection is a Class Two forfeiture.

E. No person shall dispose of any animal carcass in the waters of the state or on a public highway, nor expose an animal carcass in such a manner as to be reached by dogs or wild animals for a longer period than 24 hours during the months of April to November or 48 hours during the months of December to March. Penalty for violation of this subsection is a Class Two forfeiture.

F. The owner of a dog shall have the dog vaccinated against rabies by a licensed veterinarian at no later than 5 months of age and revaccinated within one year after the initial vaccination, and thereafter, shall have the dog re-vaccinated at such other times as required by current standards of animal husbandry. The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog at all times but this requirement does not apply to a dog during competition or training, to a dog while hunting, to a dog securely confined indoors, to a dog securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner. Penalty for violation of this subsection is a Class Four forfeiture.

**SIGNED: LAW ENFORCEMENT & PUBLIC SAFETY COMMITTEE**

\_\_\_\_\_  
Dennis Dalton, Chair

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Cal Wickline, Vice-Chair

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Ted Fahey

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Sherri Fiduccia

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Richard Thoman

**FISCAL NOTE:** No Fiscal Effect. MJD

**LEGAL NOTE:** Approved as to form. BDB

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STATE OF WISCONSIN       )  
  ) ss.  
COUNTY OF GREEN        )

I, Michael J. Doyle, County Clerk in and for said County, do hereby certify that the above and foregoing is a true and correct copy of Ordinance 12-1202 adopted by the Board of Supervisors on December 11, 2012.

Dated at Monroe, Wisconsin this 11<sup>th</sup> day of December, 2012.

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Michael J. Doyle, Green County Clerk